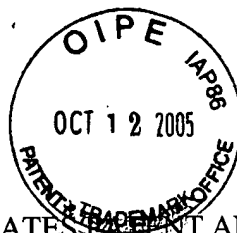


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Practitioner's Docket No.: KLA-005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary R. Janik et al.
Assignee: KLA-Tencor Technologies Corporation
Serial No.: 10/616,064 Art Unit.: 2877
Filed: July 8, 2003 Examiner: Roy M. Punnoose
For: "Film Measurement With Interleaved Laser Cleaning"

October 7, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the outstanding Office Action dated September 7, 2005, in which the Examiner imposed a restriction requirement to election of invention for the above-referenced application, Applicant elects to prosecute the invention as in Species (a), Claims 1-47, drawn to metrology including interleaved cleaning.

Applicants respectfully traverse the characterization of FIGS. 3a-3d as depicting a species of the invention that is patentably distinct from the depiction in FIG. 4. As noted in the specification as originally filed at paragraph 41:

Fig. 4 shows a detail view of the portion of test sample 310 around analysis location 314, showing relative sizes of a cleaning beam spot 467 (through contaminant layer 313) produced by cleaning beam 366 and a measurement beam spot 437 (on thin film layer 312) produced by measurement beam 335, according to an embodiment of the invention.

Thus, FIG. 4 is simply a detail view of a portion of 3d (hence the references to "test sample 310", "analysis location 314", "contaminant layer 313", "cleaning beam 366", "thin film layer 312", and "measurement beam 335", all of which are originally described with respect to FIGS. 3a-3d). Therefore, FIG. 4 does not depict a species that is patentably distinct from what is depicted in FIGS. 3a-3d, because FIG. 4 is simply an enlarged view of the measurement location/operation described with respect to FIGS. 3a-3d.

Accordingly, Applicants respectfully request withdrawal of the "distinct species" characterization for FIGS. 3a-3d and FIG. 4 set forth in the Office Action.

Respectfully submitted,

Patent 13 Reg No. 33834

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I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 7, 2005.

10/7/05
Date

Rebecca A. Baumann
Signature: Rebecca A. Baumann